

Notice of Allowability

Application No.

09/873,263

Examiner

George J. Letscher

Applicant(s)

CHANG ET AL.

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment A filed 7/16/04.
2. ☒ The allowed claim(s) is/are 1,3-8,10,20 and 21.
3. ☒ The drawings filed on 05 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

George J. Letscher
Primary Examiner
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Status

1. The advisory action of 9/29/04 has been withdrawn due to a status error within the eDAN system, which inadvertently had mislabeled applicant's response of 3/17/04 as an after-final response. The office action of 5/27/04 was a non-final action. The claim amendments submitted the Examiner as shown below is considering 3/17/04. No additional fees are due by applicant due to the office error.

Allowable Subject Matter

2. Claims 1, 3-8, 10 and 20-21 are allowed.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Mr. Raj Dave on 12/13/04.

The application has been amended as follows:

In claim 1, line 7, the phrase "the easy axis" has been changed to --an easy axis--.

In claim 1, line 8, the phrase "an easy axis" has been changed to --the easy axis--.

Claims 11-19 are canceled.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: In claims 1, 20 and 21, the claimed the magnetic underlayer and perpendicular recording layer with the underlayer easy axis induced by a magnetron field and directed in a radial direction of the magnetic recording disk is neither taught nor suggested by the prior art of record. Matsuda et al provided a longitudinal film having an easy axis in an in-plane direction while the perpendicular film has an easy axis in the perpendicular direction. The independent claims read over each of these structural arrangements of Matsuda et al. Batra et al (US 2002/0071208) show a magnetic flux that is in the in-plane direction but does not disclose an easy axis direction.

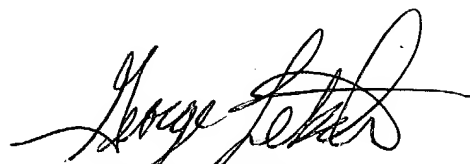
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Letscher whose telephone number is (703) 305-7912.

5. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4750.

George Letscher
December 20, 2004



George Letscher
Primary Examiner
AU 2653